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Kufr Of Istibdaal & Kufr Duna Kufr

Short Explanation By Hazmah Misri

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This is the kufr of replacing the Shari`a, and it has three manifestations, as has been listed by al `Allamah Ibrahim ibn Muhammad ibn Ibrahim This is the son of the great scholar al `Allamah Muhammad ibn Ibrahim. Most of his life, he has spent in exile and is denied his basic rights as a human being. The underground Islamic movements do not print except his books, and he is not able to leave from the Peninsula or to make contact with most of the outside world. Upon the death of his father, he was considered the most knowledgeable for the position of Mufti, but he was over ruled and removed. This particular statements of his and similar pronouncements can be found in the introduction to Tafsir Surat ulFatihah by Muhammad ibn `Abdul Wahhaab, p. 1-5 as well as Muhammad Nasib ar-Rifaa`ii's book of tafsir in Baab ulKufr and Baab udh-Dhunub, which is distributed in Syria, Lebanon and other places.

i. Replacing the law of Allah with man made laws. This is where someone actually legislates a new law and attributes it to the Shari`a or he makes his own fabricated Shari`a. This example is spoken of below,

“Or do they have partners for them legislating a religion that Allah did not give permission for at all. Had it not been for the word of decision and decree, the matter between them would have been judged. And truly, for the oppressors is a torturous punishment.”[Shura :21]

Is it the legislation of the Jaahiliyyah (Days of Ignorance) that they seek? And who is better in judgement than Allah for a people who are certain?!’[Maida:50]

ii. Denying the law of Allah without renouncing them. This is the equivalent of someone saying, “This particular law doesn’t suit this time period, but these other laws are still satisfactory"

Is it you believe in a part of the book and you disbelieve in another part?! Then what is the reward for the one who does that except disgrace in this life and on the Day of Judgement? They will be subjected to a worse punishment and Allah is not unmindful of what you do. They are those who have purchased this life with the Hereafter. The punishment will not be lightened for them nor will they have any help.” [Baqarah 85-86]

Essentially, this is disbelief in one law while believing in another.

iii. Denying the law of Allah and renouncing them.This is when someone denies the law of Allah and fails to judge by what Allah sent down all of the time. This third type of Istibdaal is played out in the verses where Allah says,

من لم يحكم بما أنزل اللّٰه فألئك هم الكافرون
“And whoever does not judge by what Allah sent down, then they are Kaafirun (unbelievers).”
و من لم يحكم بما أنزل اللّٰه فألئك هم الظالمون
“And whoever does not judge by what Allah sent down, then they are Zaalimun (oppressors).”
و من لم يحكم بما أنزل اللّٰه فألئك هم الفاسقون
“And whoever does not judge by what Allah sent down, then they are Faasiqun (rebellious sinners).
[Maida 44-47]

Looking at the evidence in front of us, if someone is ruling by the Shari`a and he should refuse to hand out a Shari`a punishment in one instance due to the fact that the guilty party is his close friend, family member, etc., this is what we call the kufr duna kufr (a kufr less than kufr), a minor kufr.

But when the person actually changes the rule, not just for that one person, but for all times to come, this is a major kufr. But if he goes and even invents a stipulation in the existing Shari`a law, this is a kufr fawqa kufr (kufr above kufr), a major kufr without doubt.

This is the completely naked and obvious kufr that is obnoxious and grotesque. This disregard for the Shari`a earns nothing but the wrath of Allah,and it should be something that the sincere believers stay far away from